IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8649 OF 2005

Naeem Gaffur Sheikh & Anr. ... ...
Petitioners
V/s
The State of Maharashtra & Ors... ...
Respondents.

Mr.V.A.Sudagare, Adv. For the petitioners.

Mr.S.R.Nargolkar, AGP for respondents.

CORAM: V.G. PALSHIKAR, Ag. C.J.
AND
D.B. BHOSALE, J.

14.12.2005.

PC:

By this petition the petitioner has challenged the communication by which election of the Transport Committee stayed until further orders. This communication dated 8.12.2005 was issued in view of the earlier communication by the Deputy Secretary, Government of Maharashtra dated 6.12.2005. The order both of 6th and 8th December, 2005 obviously were temporary orders. It is open for the petitioners to go to the State Government which is the higher authority than the Deputy Secretary and point out the illegalities which according to the petitioner exist in issuance of communication dated 8.12.2005. There is no justifiable reason for the petitioner to rush to the High Court and demand exercise of writ jurisdiction under article 226 when the State Government itself can be apprised of the situation, both in fact and in law. That being the position we see no reason to

interfere. Petition dismissed.